

JAN 22 2007



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TO: Commissioner for Patents – U.S. Patent Office
 FAX NO.: (571) 273-8300
 FROM: Alan Taboada
 DATE: January 22, 2007
 MATTER: Serial No. 10/579,426 Filed: May 12, 2006
 DOCKET NO.: VIS/002
 APPLICANT: Rafferty, Richard A.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

<input type="checkbox"/> Petition	<input type="checkbox"/> RCE Transmittal Letter (2 copies)
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PTO/SB/21 (08-04)

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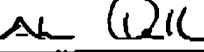
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TRANSMITTAL FORM		Application Number	10/579,426
		Filing Date	May 12, 2006
		First Named Inventor	Rafferty
		Art Unit	2615
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission		2	Attorney Docket Number
			VIS/002

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ENCLOSURES (check all that apply)			
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<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter	
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	CUSTOMER NO. 54698	
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Moser IP Law Group		
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Printed Name	Alan Taboada		
Date	1/22/07	Reg. No.	51.359

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	
Typed or printed name	SUJATA BAROT
Date	January 22, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JAN 22 2007

Date of Deposit: January 22, 2007
U.S. Serial No. 10/579,426
Ref. No. VIS002
Page 1 of 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard A. Rafferty **Examiner:** Unknown
Serial No.: 10/579,426 **Group Art Unit:** 2615
Filed: May 12, 2006 **Docket No.:** VIS002
Title: HEARING AID THAT FACILITATES REMOVAL OF EARWAX AND
TRAPPING OF MOISTURE

DATA PROVIDED BY APPLICANT NOT CONSISTENT WITH PTO RECORDS

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

In response to the filing receipt dated January 11, 2007 in which the data provided by applicant is not consistent with PTO records. The agent for the Applicant is in agreement that the correct international filing date for the PCT priority application, PCT/US04/37733 is November 12, 2004.

Respectfully submitted,

Attn: Clerk 1/22/09
ALAN TABOADA, Attorney
Reg. No. 51,359
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